

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Finality Rule and Equitable Relief
7-CP (Revision 2)**

Amendment 4

Approved by: Acting Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Paragraph 71 has been amended to require a copy of each State's corrective action plan be submitted to PECD annually.

Subparagraph 83 A, B, and C have been amended to correct the PECD FAX number.

Subparagraph 83 D has been added to indicate a summary of the national equitable relief and finality rule reports will be provided to FMD.

Paragraph 84 has been added to provide procedure on how to access the FSA-321 web application.

Paragraph 85 has been added to provide procedure for completing the new FSA-321 web application.

Paragraph 86 has been added to provide which reports are accessible from the FSA-321 web application.

Exhibit 10 has been amended to provide instructions for the report of SED special approval authority.

Exhibit 11 has been amended to provide instruction for the annual equitable relief report.

Exhibit 12 has been amended to provide instructions for the annual FSA-321 for finality rule only.

Amendment Transmittal (Continued)

B FSA-321 Web Application

Beginning in calendar year 2006, State and County Offices are required to load all equitable relief and finality rule requests into the FSA-321 web application. The FSA-321 manual form may be used only if the FSA-321 web application is not available; however, the manual data must be loaded into the FSA-321 web application once it becomes available.

Note: County Offices shall load 2006 FSA-321 data into the system for those FSA-321's completed before the availability of this automated database.

Page Control Chart		
TC	Text	Exhibit
1, 2	3-47 4-3 4-4 (add) 4-5 through 4-16 (add) 4-17 (add)	1, pages 1, 2 3, page 1 (add) 10, page 1 page 2 (add) 11, page 1 page 2 (add) 12, page 1 page 2 (add)

Table of Contents

Page No.

Part 1 General Information

1	Overview.....	1-1
2	Sources of Authority and Related References	1-2
3	Finality Rule and Equitable Relief Overview	1-3
4-15	(Reserved)	

Part 2 Finality Rule

16	Finality Rule General Information	2-1
17	When Finality Rule Applies.....	2-3
18	When Finality Rule Does Not Apply	2-4
19	Finality Rule Required Action	2-6
20	Disaster Guidelines.....	2-9
21	CCC Loans and LDP Guidelines	2-11
22	NAP Guidelines	2-14
23-50	(Reserved)	

Part 3 Misaction/Misinformation and Failure to Fully Comply

Section 1 Equitable Relief General Information

51	Program Applicability	3-1
52	Equitable Relief Overview.....	3-2
53	Misaction/Misinformation or Failure to Fully Comply Not Applicable	3-4
54-57	(Reserved)	

Section 2 Misaction/Misinformation

58	Relief Based on Misaction/Misinformation.....	3-17
59-62	(Reserved)	

Table of Contents (Continued)

Page No.

Part 3 Misaction/Misinformation and Failure to Fully Comply (Continued)

Section 3 Failure to Fully Comply

63	Relief Based on Failure to Fully Comply	3-31
64-67	(Reserved)	

Section 4 Equitable Relief Determinations

68	COC Guidelines for Recommending Equitable Relief	3-43
69	STC Authority and Action.....	3-44
70	Special Relief Approval Authority for SED’s	3-45
71	Preventing Future Need for Relief	3-47
72-81	(Reserved)	

Part 4 Documentation and Reports

82	Documentation	4-1
83	Reports.....	4-3
84	FSA-321 Web Application	4-4
85	Completing a New FSA-321 Web Application	4-9
86	FSA-321 Web Application Reports	4-16

Exhibits

1	Reports, Forms, Abbreviations, and Redelegations of Authority	
2	Definitions of Terms Used in This Handbook	
3, 4	(Reserved)	
5	FSA-321, Finality Rule and Equitable Relief	
6	Example of Finality Rule Letter	
7-9	(Reserved)	
10	Example of Report of SED Special Approval Authority (PA-134R)	
11	Example Format for Reporting the Annual FSA-321 for Equitable Relief (PA-135P)	
12	Example Format for Reporting the Annual FSA-321 for Finality Rule (PA-129R)	

71 Preventing Future Need for Relief**A Background**

It is quite expensive for FSA to extend unearned program benefits to a producer because of action or advice of an employee. The expense includes the unnecessary administrative costs, as well as the program costs for which there is no program benefit. It is important that COC's and STC's take corrective action to minimize these unnecessary costs.

B Corrective Action

When a bona fide relief case occurs, corrective action shall be taken to lessen future incidence of these errors. Corrective action may include, but is not limited to, the following:

- additional training
- office procedure revision
- more serious action, if warranted.

***--C Plan of Corrective Action for Equitable Relief and Finality Rule**

SED's shall prepare a written plan identifying weaknesses in program delivery. This may include sharing of portions or entire County Office review information with all offices to minimize mistakes in program delivery. The plan shall include both equitable relief and finality rule issues within the State.

DD's will be responsible for training CED's, FLM's, and PT's when corrective actions must be taken.

D Submitting Plan of Corrective Action for Equitable Relief and Finality Rule (PA-136R)

SED shall submit a copy of the plan of corrective action for equitable relief and finality rule required in subparagraph C to PECD by January 10 each year. Report must be submitted to PECD by FAX at 202-690-2130. The plan of corrective action for equitable relief and finality rule shall:

- include an analysis of relief cases acted upon during the previous calendar year along with any identified weaknesses in program delivery
- list the corrective action undertaken or planned including implementation dates.

Negative reports are required.--*

E Recurring Request for Relief Because of County Office Error

When recurring request for relief has been submitted to SED, STC, or DAFP, appropriate disciplinary action shall be taken.

72-81 (Reserved)

83 Reports

A SED Report of Exercise of Special Approval (PA-134R)

SED's who exercise the special relief approval authority shall report the exercise of such authority using the format in Exhibit 10. Report shall be submitted to PECD by FAX
 --at 202-690-2130. This report shall be submitted upon approval of each case of relief to a-- participant using the special relief approval authority of SED.

It is not necessary to report the name or ID number of the participant receiving relief. However, the report shall reflect the total relief being granted to the participant using the special relief approval authority of SED. For example, if a participant is granted relief under 2 programs, both programs shall be listed but the amount of relief approved shall reflect the total relief approved.

B Report of Equitable Relief (PA-135P)

The statute requires an annual report of the number of requests for equitable relief and the disposition of the request. Each State Office shall submit a report using the format in
 --Exhibit 11. Report must be submitted to PECD by FAX at 202-690-2130 by January 10 of-- the current year. **Negative reports are required.**

The report shall cover **all** cases for which equitable relief was requested according to the provisions of this handbook. This includes any case for which equitable relief was approved or denied during the calendar year by any approving authority if the basis for relief occurred on or after May 13, 2002.

C Report of Finality Rule (PA-129R)

DAFP requires an annual report of the number of cases to which the finality rule was applied. Each State Office shall submit a report using the format in Exhibit 12. Report must be
 *--submitted to PECD by FAX at 202-690-2130 by January 10 each year. **Negative reports are required.**

The report shall cover **all** cases to which the finality rule was applied according to the provisions of this handbook during the calendar year.

D Submitting Reports to FMD

PECD will:

- summarize the annual equitable relief and finality rule reports
- provide a copy of the summarized annual equitable relief and finality rule reports to FMD for Improper Payments Information Act, Pub. L. 107-300 purposes.--*

***--84 FSA-321 Web Application**

A Introduction

FSA-321 is required for all programs for which application of the equitable relief or finality rule is requested under the provisions of this handbook. County Offices shall use the FSA-321 web application to record data about equitable relief and finality rule requests. The manual FSA-321 may be used only if the FSA-321 web application is **not** available. However, the data must be loaded into the FSA-321 web application once it becomes available.

FSA-321 shall be processed for each case where equitable rule or finality rule is requested. Each case shall be documented in the COC and STC minutes, as applicable. SED determination is **not** required to be documented in STC minutes.

B Who Has Access to FSA-321 Web Application Data

Determine who has access to the FSA-321 web application data according to the following.

Office	Level of Access to FSA-321 Web Application Data
National Office	View all data.
State Office	View all county data for that State.
County Office	View and update all data for that county.

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*--84 FSA-321 Web Application (Continued)

C Responsibilities

The following provides a list of office responsibilities.

Responsibilities
The National Office shall monitor all activity of equity relief and finality rule.
State Office shall: <ul style="list-style-type: none"> • monitor equitable relief and finality rule activities for their State • take corrective action when necessary • submit a negative report to PECD by FAX at 202-690-2130 by January 10 of the current year, if equitable relief or finality rule was not requested for the calendar year.
COC shall: <ul style="list-style-type: none"> • review each request for equitable relief or finality rule • make recommendation for determination • ensure relevant information is recorded in the COC minutes.
County Office shall: <ul style="list-style-type: none"> • load an FSA-321 web application for each case for which application of the equitable relief or finality rule is requested • ensure all data entered on FSA-321 is complete and accurate • ensure all requirements for application of the equitable relief or finality rule are met • forward hardcopy to COC for recommendation • forward hardcopy to appropriate relief authority for determination <p>Note: See subparagraph 3 C for relief authority overview.</p> <ul style="list-style-type: none"> • monitor equitable relief and finality rule activities for their county • take corrective action when necessary • submit a negative report to the State Office by January 5 of the current year, if application of equitable relief or finality rule was not requested for the calendar year.

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***--84 FSA-321 Web Application (Continued)**

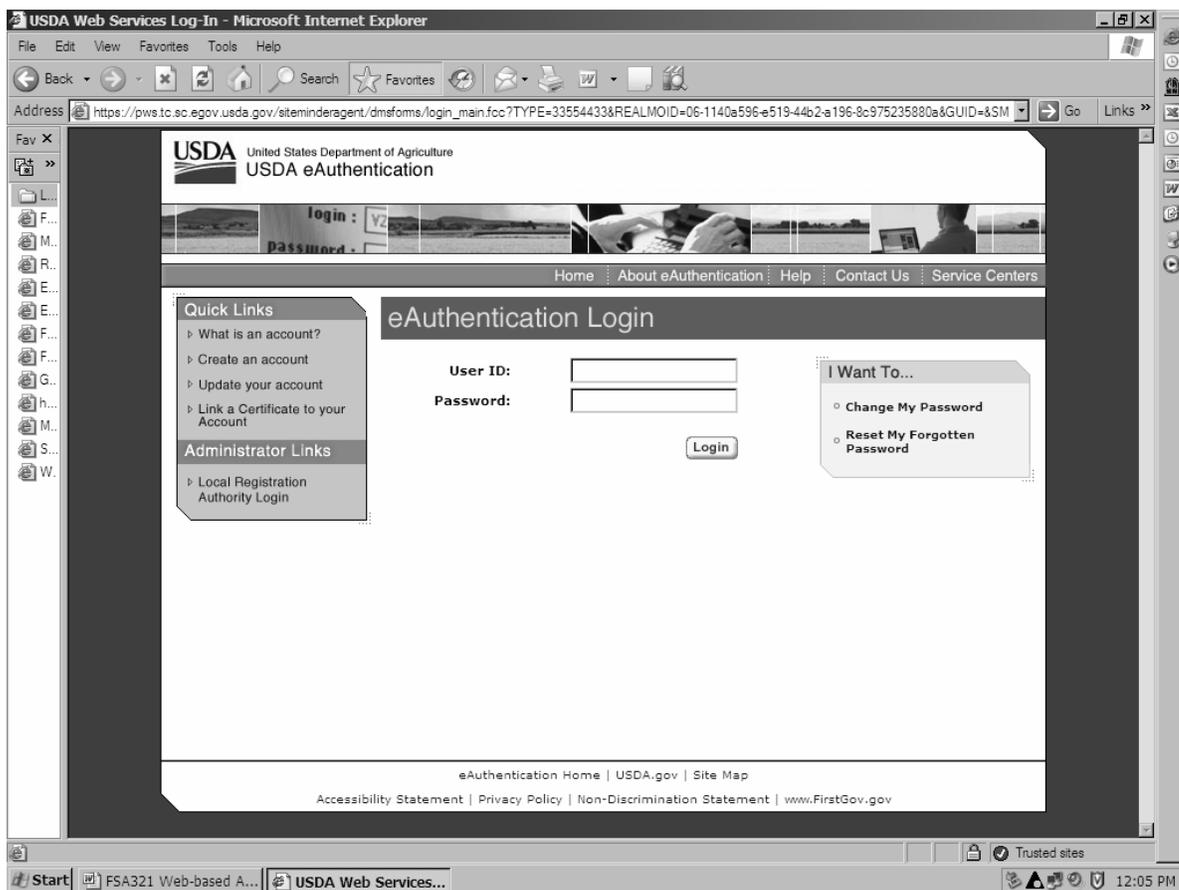
D Accessing the FSA-321 Web Application

Access the FSA-321 web application according to the following.

Step	Action
1	On the FSA Intranet, under “Links”, CLICK “FSA Applications”.
2	Under “Common Applications”, CLICK “FRER - Finality Rule and Equitable Relief”.
3	On the eAuthentication Warning Screen, CLICK “Continue”.
4	On the eAuthentication Login Screen, enter the user ID and password.

E Example of the eAuthentication Login Screen

The following is an example of the eAuthentication Login Screen.



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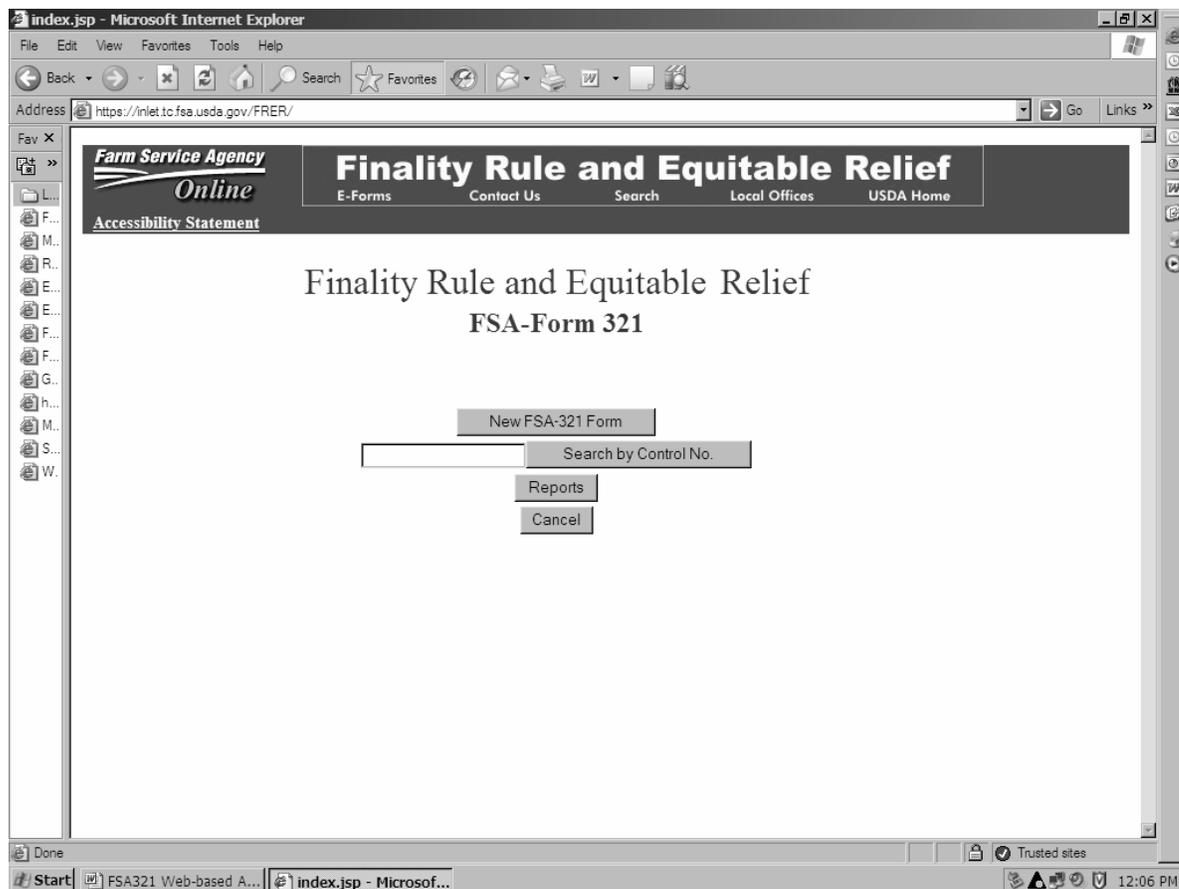
*--84 FSA-321 Web Application (Continued)

F Processing New FSA-321's

Use the Finality Rule and Equitable Relief FSA-Form 321 Screen when processing a new FSA-321 web application.

G Example of The Finality Rule and Equitable Relief FSA-Form 321 Screen

The following is an example of the Finality Rule and Equitable Relief FSA-Form 321 Screen.



The Finality Rule and Equitable Relief FSA-Form 321 Screen provides the following options:

- “New FSA-321 Form”
- “Search by Control No.”
- “Reports”
- “Cancel”.--*

--84 FSA-321 Web Application (Continued)*H Using the “Search by Control No.” Option**

Use the “Search by Control No.” option when selecting FSA-321 that was previously processed using the web application for reviews and updates.

The control number is automatically generated through the FSA-321 web application. To use the “Search by Control No.” option, the user must enter a combination of FSA-321, items 4 and 3. Be sure to note the control number to use the search option to locate FSA-321 later. To use the “Search by Control No.” option, the control number format must be entered as “200512345678” which is a combination of the following:

- 4-digit year
- 2-digit State code
- 3-digit county code
- 3-digit sequence number.

I Using the “Reports” Option

Use the “Reports” option when accessing the following:

- Equitable Relief Report
- Finality Rule Report
- Pending Report.

J Using the “Cancel” Option

Use the “Cancel” option when discontinuing the FSA-321 web application.--*

***--85 Completing a New FSA-321 Web Application**

A Introduction

County Offices shall load all equitable relief and finality rule requests in the FSA-321 web application. The manual FSA-321 may be used only if the FSA-321 web application is **not** available; however, the manual data must be loaded into the FSA-321 web application once it becomes available.

Note: All FSA-321's taken manually for cases acted on in calendar year 2006, before the web application was established, must be loaded into the automated system.

B Completing the FSA-321 Web Application

Completing the FSA-321 web application will require a 3 phase process because of the flow of events.

Process FSA-321 web applications according to the following.

Processing FSA-321 Web Application	
Phase 1	<p>County Offices shall:</p> <ul style="list-style-type: none"> • complete FSA-321, items 1 through 13B • print and forward a hardcopy of FSA-321 to COC for recommendation. <p>Note: The user must have FSA-321, items 3 and 4 to access FSA-321 later.</p>
Phase 2	<p>Once FSA-321 is returned by COC representative, the County Office shall:</p> <ul style="list-style-type: none"> • complete items 14A through 14D • print and forward a hardcopy of FSA-321 to the appropriate relief authority. <p>Note: See subparagraph 3 C for relief authority overview.</p>
Phase 3	<p>Once FSA-321 is returned by the appropriate relief authority, the County Office shall enter the following for the appropriate relief authority and if required, the OGC concurring official:</p> <ul style="list-style-type: none"> • action • signature • title • date.

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*--85 Completing a New FSA-321 Web Application (Continued)

C Completing Phase 1 for Processing an FSA-321 Web Application

Complete Phase 1 for processing an FSA-321 web application according to the following. Access the FSA-321 web application according to subparagraph 84 D.

Step	Item	Action
1		On the Finality Rule and Equitable Relief FSA-Form 321 Screen, CLICK “New FSA-321 Form”.
2		On the Finality Rule and Equitable Relief Screen, select the “State/County” and “Program Year” from the applicable drop-down box.
3		Click either of the following: <ul style="list-style-type: none"> • “Next” to continue to the next page • “Cancel” to discontinue the application.
4		Select the “Program Category” and “Type of Request” from the drop-down list in which finality rule, misaction/misinformation, or failure to fully comply occurred.
5		Enter a “Reference Number” such as farm number, contract number, or loan number. Note: This number cannot exceed 10 digits.
6		Click either of the following: <ul style="list-style-type: none"> • “Next” to continue to the next page <p>Note: Once the user clicks “Next”, the system will automatically populate FSA-321, items 1 through 7.</p> <ul style="list-style-type: none"> • “Cancel” to discontinue the application.
7	8	CLICK “SCIMS”.
8		On the SCIMS Customer Search Screen, click the applicable search criteria.
9		CLICK “Search” to access search results.
10		On the Search Results Screen, click on the customer name to select under the “Common Name” column.
11		On the Processing Data for Customer Screen, CLICK “Yes” on the security alert pop-up window. Note: The participant’s name and address will be automatically entered on FSA-321, item 8.
12	9A	Complete for all finality rule, misaction/misinformation, and failure to fully comply cases.
13	9B	Enter the name of the individual who made the error.
14	9C	Enter the name of the individual who discovered the error.
15	10	Enter a statement summarizing the circumstances under which the discovery was made.

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*--85 Completing a New FSA-321 Web Application (Continued)

C Completing Phase 1 for Processing an FSA-321 Web Application (Continued)

Step	Item	Action
16	11A	Enter the date on which the finality rule became effective. Note: This applies to finality rule only.
17	11B	Enter date in which the error was discovered. Note: This applies to finality rule only.
18	12A	For: <ul style="list-style-type: none"> finality rule, enter the incorrect amount paid because of the error <p>Note: Do not enter an amount if the erroneous payment was not made. See subparagraph 19 A for more information.</p> <ul style="list-style-type: none"> misaction/misinformation or failure to fully comply cases, enter the incorrect amount paid or to be paid because of the misaction/misinformation or failure to fully comply.
19	12B	For: <ul style="list-style-type: none"> finality rule cases, enter the amount that would have been paid if the error had not occurred misaction/misinformation or failure to fully comply cases, enter 1 of the following: <ul style="list-style-type: none"> amount that would have been paid if misaction/misinformation or failure to fully comply had not occurred amount to be paid or retained as a result of partial relief.
20	12C	CLICK "Calculate". Note: The system will automatically calculate the difference between the amount entered on FSA-321, items 12A and 12B.
21	13A	Enter a statement that specifies the action the participant took, or failed to take, as a result of misaction or misinformation that was detrimental to the participant, or how the participant otherwise failed, in good faith, to fully comply with the requirements of the program. Note: CLICK "Requirements Information" to review the requirements that must be met for misaction/misinformation or failure to fully comply provisions to apply.

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*--85 Completing a New FSA-321 Web Application (Continued)

C Completing Phase 1 for Processing an FSA-321 Web Application (Continued)

Step	Item	Action
22	13B	Select the applicable option. Note: Requirements, as stated in this handbook, must be met before FSA-321 can be submitted. If “No” is selected, then the user will be allowed to continue; however, once the user clicks “save”, the error message, “Requirements not met, this application will be deleted”, will be displayed. CLICK “OK” to delete FSA-321 or “Cancel” to reselect.
23		Click 1 of the following: <ul style="list-style-type: none"> • “Delete” to delete FSA-321 • “Save” to save the data Notes: The “Save” button will become inactive and the following message will be displayed, “Data has been saved”. Go to step 24. The “Printable Version” button will become active only after the user has elected to save the data. Warning: The user will not be allowed to edit data once it is saved. <ul style="list-style-type: none"> • “Reset” to clear and reset data fields.
24		CLICK “Printable Version” to display FSA-321 to be printed. FSA-321 will be displayed in a PDF file format.
25		Select the print option from the toolbar.
26		On the Print Pop-Up window, CLICK: <ul style="list-style-type: none"> • “Ok” to print FSA-321 • “Cancel” to cancel the print job.
27		Click either of the following: <ul style="list-style-type: none"> • “Finality Rule and Equitable Relief Home” to return to the Finality Rule and Equitable Relief FSA-Form 321 Screen and continue processing another FSA-321 • “X” to exit the FSA-321 web application.
28		Forward the FSA-321 hardcopy and all supporting documentation to COC for recommendation. Note: See subparagraph 3 C for information on relief authority.

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***--85 Completing a New FSA-321 Web Application (Continued)**

D Completing Phase 2 of a New FSA-321

Use the following when completing Phase 2 of the FSA-321 web application. Access the FSA-321 web application according to subparagraph 84 D.

Step	Item	Action
1	14A	Enter COC recommendation and basis for the recommendation.
2	14B	Enter the name of the COC representative taking action.
3	14C	Select a title from the drop-down listing.
4	14D	Enter the date of COC minutes.
5		<p>Click 1 of the following:</p> <ul style="list-style-type: none"> • “Delete” to delete FSA-321 • “Save” to save the data <p>Notes: The “Save” button will become inactive and the following message, “Data has been saved”. Go to step 6.</p> <p>The “Printable Version” button will become active only after the user has elected to save the data.</p> <p>Warning: The user will not be allowed to edit data once it is saved.</p> <ul style="list-style-type: none"> • “Reset” to clear and reset data fields.
6		CLICK “Printable Version” to display FSA-321 to be printed. FSA-321 will be displayed in a PDF file format.
7		Select the print option from the toolbar.
8		<p>From the Print Pop-Up window, CLICK:</p> <ul style="list-style-type: none"> • “Ok” to print FSA-321 • “Cancel” to cancel the print job.
9		<p>Click either of the following:</p> <ul style="list-style-type: none"> • “Finality Rule and Equitable Relief Home” to return to the Finality Rule and Equitable Relief FSA-Form 321 Screen and continue processing another FSA-321 • “X” to exit the FSA-321 web application.
10		<p>Forward the FSA-321 hardcopy and all supporting documentation to the appropriate relief authority for action/signature(s).</p> <p>Note: See subparagraph 3 C for information on relief authority overview.</p>

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*--85 Completing a New FSA-321 Web Application (Continued)

E Completing Phase 3 of a New FSA-321

Use the following when completing phase 3 of the FSA-321 web application. Access the FSA-321 web application according to subparagraph 84 D.

Step	Item	Action
1		On the Finality Rule and Equitable Relief FSA-Form 321 Screen, enter the FSA-321 “Control Number” to be retrieved. Note: The control number consist of the “Program Year” and the “Control Number” listed on FSA-321, items 3 and 4. Example: “200512345678”
2		CLICK “Search by Control No.”.
3	15A	Select the applicable STC action only.
4	15B	Select the applicable SED action only.
5	15C	Enter the STC or SED name taking action in item 15A or 15B. Note: SED must have OGC concurrence for equitable relief cases before approval can be accepted for the FSA-321 web application.
6	15D	Select the applicable title for the name entered in item 15C.
7	15E	Select the date from the drop-down listing.
8	16A	Enter CCC-184 or EFT number, if applicable. Note: Items 16A through 16C applies to finality rule only. Enter information only if a refund is owed.
9	16B	Select the date from the drop-down listing.
10	16C	Enter the amount of the refund, if applicable.
11	17A	Enter the name of the OGC concurring official. Note: OGC concurrence shall be entered for SED special relief authority of misaction/misinformation and failure to fully comply requests only.
12	17B	Select the applicable OGC action, if applicable.
13	17C	Select the date of OGC concurrence from the drop-down listing.
14	18A	Enter the name of the DAFP approving official, if applicable.
15	18B	Select the applicable DAFP action only, if applicable.
16	18C	Select the date from the drop-down listing.

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***--85 Completing a New FSA-321 Web Application (Continued)**

F Saving an FSA-321 Web Application

Save FSA-321 data by clicking the “Save” button. Saving the data will provide the capability to access FSA-321 for future review or edits. Once data is saved, the message, “Data has been saved”, will be displayed.

H Retrieving an FSA-321 Web Application

Retrieve a previously saved FSA-321 web application according to the following.

Step	Action
1	On the FSA Intranet, under “Links”, CLICK “FSA Applications”.
2	Under “Common Applications”, CLICK “FRER - Finality Rule and Equitable Relief”.
3	On the eAuthentication Warning Screen, CLICK “Continue”.
4	On the eAuthentication Login Screen, enter the user ID and password.
5	On the Finality Rule and Equitable Relief FSA-Form 321 Screen, enter the “Control Number” in the “Search by Control No.” box for FSA-321 to be retrieved.
6	CLICK “Search by Control Number”. Do either of the following: <ul style="list-style-type: none"> • enter additional data on FSA-321 as required • review data previously entered on FSA-321.
7	Click either of the following: <ul style="list-style-type: none"> • “Printable Version” to access the PDF file to print • “Return to Index Page” to return to the Finality Rule and Equitable Relief FSA-Form 321 Screen.
8	CLICK “X” to exit the FSA-321 web application.

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***--86 FSA-321 Web Application Reports**

A Types of Reports

The following reports may be accessed using the FSA-321 web application:

- Equitable Relief Report
- Finality Rule Report
- Pending Report.

B Report Criteria

Reports may be accessed using the following criteria:

- State
- county
- producer
- program
- year.

Note: The State and year options are required field entries.

C Accessing FSA-321 Reports

Access FSA-321 reports according to the following.

Step	Action
1	On the Finality Rule and Equitable Relief FSA-Form 321 Screen, CLICK “Reports”.
2	Select the criteria for the report type wanted from the drop-down listings.
3	Click either of the following: <ul style="list-style-type: none"> • the applicable “Submit Report” to run the specified report • “Reset Fields” to clear field selections.
4	CLICK “Print” from the toolbar to print the report.
5	CLICK “Back” from the browser to go to the report index page.
6	Do 1 of the following: <ul style="list-style-type: none"> • enter criteria to continue report options • CLICK “Finality Rule and Equitable Relief Home” to return to the Finality Rule and Equitable Relief FSA-Form 321 Screen and continue processing another FSA-321 • CLICK “X” to close the FSA-321 web application.

--*

***--86 FSA-321 Web Application Reports (Continued)**

D Negative Reports

Negative reports:

- **are** required for equitable relief and finality rule
- are **not** available through the FSA-321 web application at this time.

Each State Office must submit a negative report to PECD by FAX at 202-690-2130 by January 10 of the current year, if equitable relief or finality rule was **not** requested for the calendar year.

Note: All other reports will be generated through the FSA-321 web application.--*

Reports, Forms, Abbreviations, and Redelegations of Authority

Reports

This table lists the required reports in this handbook.

Report Control Number	Title	Reporting Period	Submission Date	Negative Report	Reference
PA-129R	Report of Finality Rule	Annually	January 10	Yes	83
PA-134R	SED Report of Exercise of Special Approval	Case-by-case	Upon Approval	No	83
PA-135P	Report of Equitable Relief	Annually	January 10	Yes	83
PA-136R	SED Corrective Action Plan	Annually	January 10	Yes	71

Forms

This table lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
AD-1026	Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification		20, 21
CCC-184	CCC Check		83, Ex. 5
CCC-502's	Farm Operating Plan for Payment Eligibility Review		20, 21
CCC-633 LDP	Loan Deficiency Payment Certification and Application		21
CRP-1	Conservation Reserve Program Contract		17, 18, 69
FSA-321	Finality Rule and Equitable Relief	Ex. 5	Text, Ex. 11, 12
FSA-578	Report of Acreage		20

Reports, Forms, Abbreviations, and Delegations of Authority (Continued)

Abbreviations Not Listed in 1-CM

The following abbreviations are not listed in 1-CM.

Approved Abbreviation	Term	Reference
FLM	Farm Loan Manager	71
PT	program technician	71

Redelegations of Authority

This table list the redelegation of authority in this handbook.

Redelegation	Reference
DAFP has delegated the authority to approve or disapprove some finality rule cases to SED's.	16
DAFP has delegated the authority to approve or disapprove some equitable relief cases to STC's.	3

Menu and Screen Index

The following menus and screens are displayed in this handbook.

Menu or Screen	Title	Reference
	eAuthentication Login Screen	84
	Finality Rule and Equitable Relief FS-Form 321 Screen	84

Example of Report of SED Special Approval Authority (PA-134R)

The following is an example format of a report of SED special approval authority.

*--

PA-134R				
State - <u>Vermont</u>			Report Date - <u>June 1, 2006</u>	
County	Payment Type Per Participant	Amount of Relief Requested	Amount of Relief Approved	Basis for Relief
Addison	NAP LDP	\$19,000	\$19,000	Misinformation
Addison	LDP	\$5,000	\$2,000	Misaction

--*

Note: This report shall be submitted upon approval of each case of relief to a participant using the special relief approval authority of SED.

Example of Report of SED Special Approval Authority (PA-134R) (Continued)

*--The following provides instructions for the report of SED special approval authority.

Item	Instructions
County	Enter the name of the administrative County Office. A separate line item shall be used for each program and for each basis for relief listed in the last column.
Payment Type Per Participant	List the program for which relief is requested on FSA-321.
Amount of Relief Requested	Enter the dollar amount of relief requested as listed on FSA-321.
Amount of Relief Approved	The amount or relief approved shall not exceed the amount requested. This figure may be zero if the request was denied.
Basis for Relief	<p>The basis shall be either “Misaction” or “Misinformation”.</p> <p>Note: Finality rule cases shall not be included. See Exhibit 12 for the annual report of finality rule cases.</p>
Additional Clarification	
<ul style="list-style-type: none"> • This report shall be submitted to PECD immediately upon approval of each misaction/misinformation case by SED after OGC concurrence. • This report shall include cases documented on FSA-321 including cases where relief was denied by either SED or OGC. • Do not include finality rule cases. See Exhibit 12 for the annual report of finality rule cases. • Do not include cases where the final determination was made by STC, DAFP, or NAD. 	

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Example Format for Reporting the Annual FSA-321 for Equitable Relief (PA-135P)

The following is an example for reporting the annual FSA-321 for equitable relief, which includes misaction/misinformation and failure to fully comply cases only.

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PA-135P						
State - <u>Vermont</u>				Report Date - <u>January 10, 2006</u>		
County	Payment Type	Number of Cases	Amount of Relief Requested	Amount of Relief Approved	Basis for Relief	Approval Authority
Addison	LDP	1	\$5,000	\$3,500	Failure to fully comply	SED
Addison	NAP	3	\$95,000	\$95,000	Misinformation	DAFP
Addison	CDP	1	\$4,500	\$4,500	Misinformation	STC
Bennington	CRP	1	\$20,000	\$20,000	Misaction	SED
Caledonia	LDP	3	\$12,000	\$9,000	Failure to fully comply	SED
Caledonia	LDP	1	\$3,500	\$3,500	Misinformation	STC
Negative reports for all other counties						

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Example Format for Reporting the Annual FSA-321 for Equitable Relief (PA-135P) (Continued)

*--The following provides instructions for the annual equitable relief report.

Item	Instructions
County	Enter the name of administrative County Office. A separate line item shall be used for each program, basis for relief, or approval authority.
Payment Type	Enter the program listed on FSA-321 applicable to the relief request.
Number of Cases	Multiple cases may be included on the same line item if the "County", "Payment Type", "Basis for Relief", and "Approval Authority" are the same.
Amount of Relief Requested	Enter the dollar amount of relief requested on FSA-321.
Amount of Relief Approved	Enter the dollar amount of relief approved on FSA-321. This amount: <ul style="list-style-type: none"> • shall not exceed the amount requested • may be zero if the request was denied.
Basis for Relief	The basis for relief shall be listed as either "Misinformation", "Misaction", or "Failure to Fully Comply". Note: Finality rule cases shall not be included. See Exhibit 12 for the annual report of finality rule cases.
Approval Authority	The approval authority shall be listed as either "STC", "SED", or "DAFP". Cases approved by NAD shall not be included.
Additional Clarification	
<ul style="list-style-type: none"> • This report shall be submitted to PECD annually by January 10th for relief granted during the previous calendar year. Example: Relief granted during calendar year 2006 for a 2004 program applicant shall be included on the 2006 annual report. • This report shall include cases documented on FSA-321 where relief was denied. • Do not include finality rule cases. See Exhibit 12 for the annual report of finality rule cases. • Do not include cases where the final determination was made by NAD. 	

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Example Format for Reporting the Annual FSA-321 for Finality Rule (PA-129R)

The following is an example for reporting the annual FSA-321 for finality rule only.

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PA-129R				
State - <u>Vermont</u>			Report Date - <u>January 10, 2006</u>	
County	Payment Type	Number of Cases	Amount Approved	Approval Authority
Addison	LDP	1	\$19,000	SED
Addison	NAP	2	\$5,500	SED
Addison	NAP	2	\$65,500	DAFP
Bennington	LDP	3	\$65,500	SED
Caledonia	CDP	1	\$25,500	DAFP
Negative reports for all other counties				

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Example Format for Reporting the Annual FSA-321 for Finality Rule (PA-129R) (Continued)

*--The following provides instructions for the annual FSA-321 for finality rule only.

Item	Instructions
County	Enter the name of the administrative County Office. A separate line item shall be used for each program or approval authority.
Payment Type	Enter the program listed on FSA-321.
Number of Cases	Multiple cases may be included on the same line item if the program and approval authority are the same. Include cases where the FSA-321 relief request was denied or partially approved.
Amount Approved	Enter the dollar amount which the program participant was not determined entitled to retain because of the finality rule.
Approval Authority	Must be either SED or DAFP. STC does not have finality rule approval authority. Do not included finality rule cases approved through a NAD decision.
Additional Clarification	
<ul style="list-style-type: none"> • This report shall be submitted to PECD annually by January 10th for relief granted during the previous calendar year. Example: Relief granted during calendar year 2006 for a 2004 program applicant shall be included on the 2006 annual report. • This report shall include all SED or DAFP finality rule decisions documented on FSA-321, including cases where the request has been denied. • This report includes cases where the finality was determined to apply during the previous calendar year. Example: If the finality rule is determined to apply during calendar year 2006 to a case involving a 2004 program payment, the case shall be included on the 2006 annual report. 	

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